

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Carver, et al.,

Plaintiffs,

vs.

Bank of New York Mellon, et al.,

Defendants.

No. 15-CV-10180 (JPO)(JLC)

**UNOPPOSED MOTION FOR FINAL APPROVAL OF
CLASS ACTION SETTLEMENT AND PLAN OF ALLOCATION**

To: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 23(e) and this Court's Order Preliminarily Approving Proposed Settlement and Providing for Notice filed on December 20, 2018 (ECF 196), and upon: (a) Named Plaintiffs' Memorandum of Law in Support of Motion for Final Approval of Class Action Settlement and Plan of Allocation; (b) the Declaration of Richard Simmons, on behalf of the Claims Administrator; (c) the Declaration of Heather M. McElroy in Support of (I) Unopposed Motion for Final Approval of Class Action Settlement and Plan of Allocation and (II) Motion for Attorneys' Fees, Reimbursement of Litigation Expenses, and Service Awards, and exhibits thereto; and (d) all other papers and proceedings herein, Named Plaintiffs Hedy L. Anselman, David Baumann, Carl Carver, Dante A. Dano, Jr., Edward C. Day, Landol D. Fletcher, Timothy R. Garrett, Dana Kellen, Deborah Jean Kenny, Lisa Parker, Edwin Scheibel, and Daryl Watkins, on behalf of themselves and the Settlement Class, will and hereby do move this Court, before the Honorable J. Paul Oetken, on May 23, 2019 at 3:00 p.m. in Courtroom 706 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, NY 10007, or such other location and time as set by the Court, for

entry of Judgment approving the Class Action Settlement and the Plan of Allocation as fair, reasonable, and adequate.

Dated: April 23, 2019

Respectfully Submitted,

CIRESI CONLIN LLP

By: \s\Heather M. McElroy

Michael V. Ciresi (*pro hac vice*)
Jan M. Conlin (*pro hac vice*)
Heather M. McElroy (*pro hac vice*)
Barry M. Landy (*pro hac vice*)
225 South 6th Street, Suite 4600
Minneapolis, MN 55402
Telephone: (612) 361-8200
mvc@ciresiconlin.com
jmc@ciresiconlin.com
hmm@ciresiconlin.com
bml@ciresiconlin.com

MCTIGUE LAW LLP

By: \s\J. Brian McTigue
J. Brian McTigue (*pro hac vice*)
Regina M. Markey (*pro hac vice*)
4530 Wisconsin Ave., NW, Suite 300
Washington, DC 20016
Telephone: (202) 364-6900
bmctigue@mctiguelaw.com
rmarkey@mctiguelaw.com

Jonathan G. Axelrod
(NY Bar Number: 2012029)
BEINS, AXELROD, P.C.
1030 15th St. NW, Ste. 700
East Washington, DC 20005
Telephone: (202) 328-7222
jaxelrod@beinsaxelrod.com

Sidney H. Kalban, Esq. (SDNY Bar
Number: SK3034)
360 West 31st St
New York, NY 10001
Telephone: (212) 868-6825

itpelaw@msn.com

Attorneys for Plaintiffs